ApneAap Women Worldwide (India) Trust
Address: 40 Max Mueller, India International Centre,Library Block, 3rd Floor, Gate Number 4, New Delhi, India
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To

The Executive Director

Phumzile Mlambo-Ngcuka

UN Women

8th January 2014

Dear Dr. Mlambo-Ngcuka,

Subject: UN Women recent note on "sex work, sexual exploitation and trafficking"

We the undersigned- victims and survivors of prostitution, women's groups representing marginalized communities of caste, class and ethnicity, and anti-trafficking organizations representing those trapped in bonded labour and other forms of servitude, would like UN Women to circulate a new note on sex trafficking and prostitution recognizing the realities of our lives.

1. We do not want to be called 'sex workers' but prostituted women and children, as we can never accept our exploitation as 'work'. We think that the attempts in UN documents to call us "sex workers" legitimizes violence against women, especially women of discriminated caste, poor men and women, and women and men from minority groups, who are the majority of the prostituted.

2. Body invasion is inherent to prostitution and cannot be legislated away. If we accept prostitution as work, the UN needs to hold consultations with all Member States and civil society representatives as it will be in contravention of UN standards defining what is accepted labour and livelihood. The nature of work should not be different for one class or caste of human beings just because they are socially and economically weaker. This would be in violation of the Universal Declaration of Human Rights.

3. We want you to recognize that the majority of prostitution is an outcome of trafficking, as defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, where the "abuse of a position of vulnerability" is recognized as a method of trafficking. It is our vulnerabilities that are taken advantage of to seduce, trick, coerce or force us into prostitution. These vulnerabilities are based on our caste (De-notified Tribes, Dalits, OBCs), class (families from where women and girls are mostly trafficked earn less than INR 25 per day), sex

(majority of those who are prostituted are women and girls), and ethnicity (Hill Tribes). We are denied access to education, land, livelihood, capital and often to justice. Traffickers take advantage of this by offering us food, a bed, some cash, jobs, marriage, housing. Local and legal authorities that take pay-offs or free services from us often abet them.

4. We want you to recognize that our survival strategies are not a choice but an absence of choice.

5. By legitimizing prostitution as a form of 'work', delinking prostitution from trafficking, we feel that UN Women has let down marginalized girls and women, without even a proper consultation. It seems, that UN Women's policies are controlled by AIDS management agencies, who want to protect male clients/Johns from disease, rather than women and girls from repeated rape by male clients.

6. We ask that UN Women advocate with other UN agencies, as the agency charged with representing the voices of women, to recognize that commercial rape is the same as non-commercial rape and to remove all demands advocating for decriminalizing pimping and brothel-keeping. We want an end to impunity for all those who take advantage of our vulnerabilities to sexually exploit us. We want them to be held accountable and we want laws that penalize and punish them. By calling for the decriminalization of pimping, UN agencies are effectively helping the sex-industry and impeding our access to justice.

We want UN Women to stand by agreed upon international conventions and protocols, including:

1. Universal Declaration of Human Rights (UDHR)
2. Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949
3. Supplementary Convention on the Abolition of Slavery, the Salve Trade and Institutions and Practices Similar to Slavery, 1956
4. Convention on the Elimination of all forms of Discrimination against Women, 1979
5. Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, 2000

To retreat from these protocols would be illegal and unethical.

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We therefore ask UN Women to circulate a revised note calling for more gender sensitive language in all UN documents, recognizing and promoting the rights of girls and women from lower caste, minorities and other marginalized groups. In particular:

1. We request that UN Women changes the word 'sex worker' in all documents to 'victims and survivors of prostitution' or 'prostituted women and children'.
2. We request that UN Women acknowledges that the majority of prostitution is an outcome of trafficking and calls upon all states and UN agencies to reduce the vulnerabilities of women and girls that make them easy prey for traffickers.

As citizens of countries including India, Nepal and Bangladesh we are surprised that UN Women could issue a note without consulting Member States or Civil Society representatives.

Both the note and its subsequent clarification contradict international law, as detailed in the conventions and protocols mentioned above.

Signed by the following organizations. Please also have a look the additional list of signatures of other individuals and survivors.

1. All India Dalit Adhikari Manch (AIDWA)
2. NAWO
3. Rahi Foundation
4. Salaap
5. STOP
6. Justice & Care
7. Rescue Foundation
8. Prajwala
9. Bachpan Bachao Andolan
10. Women Power Connect
11. National Commission for Dalit Human Rights (NCDHR)
12. National Dalit Forum
13. National Dalit Watch
14. Bhudan Theater Group
15. Society for Promotion of Wastelands development
16. Socialist Front
17. Society for Rural Awakening and Community Organization
18. Bangladesh National Woman Lawyer Association (BNWLA), Bangladesh
19. Centre of Social Medicine and Community Health
20. River Basin Friends
21. South Asian Dialogues on Ecological Democracy
22. LSR College - Women's Development Cell
23. Miranda House College - Department of Political Science
24. Kandhamal Zilla Sabuja Vaidya Sangathan

25. Jhuba Jyoti Jubak Sanstha
26. CLAP
27. Basudev Pathagar
28. Bhairabhi Club
29. NUSASDRS
30. Radha Krishna Club of Jagat Singh Pur
31. Association for Voluntary Action
32. Sarvodaya Samiti
33. Institute for Social Development
34. Madhyam Foundation
35. ADHAAR
36. NISIN
37. SNEH
38. FTVAW
39. FARR
40. NAWO Orrissa
41. CYSD
42. Aangan Trust
43. NHA, Bhuwaneshwar
44. Eklabya
45. KALYAAN
46. SUPPORT
47. ISWO – Dhenkanal
48. Ruchika Social Service - Women's Helpline
49. Tribeni Women's Charitable Trust
50. SEVA- Ganga , Bhehrampur
51. Society for Developmental Action
52. PREM
53. Self Realization Mission
54. SAHAYOG
55. RIESWA
56. Pallisri
57. SYS
58. Samarpan
59. North 24 Parganas
60. Maiti Nepal
61. India Vision Foundation